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Not Reported in A.2d

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Not Reported in A.2d, 1986 WL 15424 (Del.Super.)
(Cite as: Not Reported in A.2d)

Mellin v. Pfeifer Del.Super., 1986. Only the Westlaw citation is currently available.
UNPUBLISHED OPINION. CHECK COURT RULES BEFORE CITING.

Superior Court of Delaware, New Castle County.
Gloria R. MELLIN and Samuel L. Mellin, her husband, Plaintiffs,
v.

Donald M. PFEIFER, M.D., and Dickinson Medical Group, P.A., a Delaware corporation, Defendants.
Submitted: Nov. 7, 1986.
Decided: Dec. 9, 1986.

On Motion of Plaintiffs for Reconsideration
Granted in Part-Denied in Part.

C. Waggaman Berl, Jr., for plaintiffs.
Paul A. Bradley, of Biggs and Battaglia, for defendants.

ORDER

TAYLOR, Judge.

*1 This 9th day of December, 1986:

Plaintiffs have moved for reconsideration of the Order entered September 23, 1986, which limited the testimony of Dr. Moses Rabson to opinions set forth in his prior written report.

The Order referred to above was entered based upon the scheduled trial date of October 27, 1986. That Order was entered in amplification of a prior Order dated August 22, 1986, which established certain deadlines for the filing of answers to interrogatories and medical reports. Because of the unavailability of defendant for the scheduled trial, it was not held as previously scheduled, and a new trial date has not been established.

In view of the protracted history in this case of failure of plaintiffs to supply names and reports of experts and the prior orders entered in this case,

plaintiffs should not be permitted to expand their discovery beyond the area of the report which has previously been made by Dr. Rabson. However, within that subject area, plaintiffs will be permitted to supplement their information concerning Gloria Mellin's current condition with respect to the subjects specifically covered in Dr. Rabson's prior report.

Based on the foregoing, it is ordered that plaintiffs be permitted to have Dr. Rabson submit a supplemental report concerning Gloria Mellin's present condition, limited to subjects specifically covered in Dr. Rabson's prior report, provided the report is submitted on or before January 9, 1987.

IT IS SO ORDERED.

Del.Super., 1986.

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